IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PATRICIA GARNER-RUSSO,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	2:06-CV-626-WHA-DRB
	)	
STATE OF ALABAMA, et al.,	)	
	)	
Defendants	)	

SUPPLEMENTAL RECOMMENDATION OF THE MAGISTRATE JUDGE

The Magistrate Judge's *Recommendation* docketed on this 12th day of September, 2006, not only responded to pending dismissal motions by Defendants DHR, Walley, Mashego, and Gregory (Docs. 13 and 18) but included a recommendation for dismissal of this action against all named defendants, including those for whom service has not been perfected.

Prior to notice of this court's *Recommendation*, counsel for a served defendant**, Jason Bonar**, also **filed on September 12, 2006, a *Motion to Dismiss*** (Doc. 24). Review of the well-briefed *Motion to Dismiss* discloses its merit on the asserted grounds: (1) The Plaintiff has failed to state a federal cause of action; (2) The Plaintiff has failed to establish a cause of action for which relief may be granted.

Because the Magistrate Judge's Recommendation encompasses Defendant Bonar, and because both the *Recommendation* and the amply supported *Motion* show the futility of protracting this litigation for any show-cause response to the Motion or for any amended complaint against Defendant Bonar, the Magistrate Judge now enters this Supplemental

Recommendation solely to recommend that the previously recommended dismissal with prejudice of this litigation specify the grant of *Defendant Bonar's Motion to Dismiss* (Doc. 24) along with grants of the dismissal motions specified in the original Recommendation.

Plaintiff is INSTRUCTED that any objections to this Supplemental Recommendation shall be incorporated in her objections to the original Recommendation, to be filed by September 26, 2006.

Done this 12th day of September, 2006.

/s/ **Delores R. Boyd**
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE